

**CITY COUNCIL PROCEEDINGS
SPECIAL BOULDER CITY COUNCIL MEETING**

Monday, May 17, 2010

1:00 - 8:00 p.m.

1. CALL TO ORDER AND ROLL CALL

Mayor Osborne called the special May 17, 2010 council meeting to order at 1:30 p.m. in the Council Chambers.

Those present were: Mayor Osborne, Deputy Mayor Wilson and Council Members Ageton, Cowles, Gray, Karakehian and Morzel. Council Member Appelbaum and Becker were absent.

2. CITY ATTORNEY INTERVIEWS

Presentation and overview of process provided to Council by Linda Rad from Human Resources. Each Council Member was provided input summary from an internal client team, summary feedback from City Attorney Office employees, input from a peer review panel, comments and additional information from Consultant Tom Dority and general public input from the meet and greet event held the previous evening. Council also received the results from the assessment tool "The Harrison Innerview," which analyzes the natural preferences of the individual. Summaries of references checks were also provided to Council.

Interviews of the three final applicants then took place:

- 1) 2:00 p.m. – Dan Wichmer
- 2) 3:00 p.m. – Tom Carr
- 3) 4:00 p.m. – David Gehr

Council adjourned for dinner at 5:00 p.m.

Council Reconvened for Debrief and Deliberations at 5:35 p.m.

Those present were: Mayor Osborne, Deputy Mayor Wilson and Council Members Ageton, Becker, Cowles, Gray, Karakehian and Morzel. Council Member Appelbaum was absent.

Mayor Osborne indicated that the decision before council would be a difficult one given that each of the three applicants are qualified for the position and would fit well in the position.

Council Member Wilson noted the one basic value to consider first was staying with a known person with history and knowledge versus bringing in a new face with new ideas and insight into the role.

Council Member Karakehian indicated his discomfort in trying to choose between those very issues.

Council Member Becker indicated that all three applicants could do the job, that each would bring strengths and weaknesses. She felt the need to look for the skills needed most for the city at the current time was the proper approach.

Council Member Ageton agreed with Council Member Becker, but also stressed the importance of management skills of the office and negotiation/conflict resolution skills. The ability to meld with the current executive management team was also stressed as an important factor.

Councilmember Cowles addressed the importance of outside versus inside, he spoke to the characteristics of previous attorneys and the value and integrity that David Gehr would bring to the position and therefore would be supporting him for the position.

Councilmember Gray indicated that she looked for several major areas of qualification and expressed that all of the candidates met the thresholds of:

- Broad legal foundation and creative problem solver
- Engaged in job – Passion
- Negotiation/team approach
- Ability to work with staff on a regional and state wide legislative capacity
- Good management philosophy
- Respect for Boulders open transparent form of government and its active community.

Mayor Osborne reflected on the points made by Council Member Gray and indicated she felt that Tom Carr fit those qualities best.

Council Member Karakehian appreciated Council Member Cowles comments regarding the known with David Gehr but was still struggling with the outcome.

Council Member Wilson liked the fresh perspective and new ideas brought forth in Dan Wichmer's presentation indicating that he seemed to have more depth than the other applicants.

Council Member Gray also indicated she was very impressed with Dan Wichmer noting she found him to be very pragmatic with strong experience that seemed similar to Boulder. She expressed that David Gehr was the backbone of the Land Use program in Boulder. He knows and respects the Boulder community. Tom Carr had a broad legal foundation and as an elected official was able to show more of a creative side.

Council Member Becker spoke to the benefit of the process, noting that when Mr. Gordon announced he was retiring her initial belief was to just move David Gehr into that slot. However, after going through the process and seeing the exceptional qualities that the other candidates brought forward she realized this was an opportunity to have new creative thinking come forward. She found that Tom Carr brought forth a broad array of creative solutions. Dan Wichmer showed great depth and expertise in his management skills. She found that she was leaning toward the two outside candidates at that time.

Council Member Morzel noted that Tom Carr demonstrated creativity in resolving tough issues at a low cost, Dan Wichmer was very articulate with strong management skills and David Gehr was the land use expert with solid institutional knowledge. She agreed that all candidates had different but exceptional skills.

Human Resources Director Eileen Gomez suggested that each council member identify their two top candidates. That process would likely bring some clarity as to the strength of the candidates. Council agreed.

Council Member:	Applicant:	Applicant:
Becker	Dan Wichmer	Tom Carr
Cowles	David Gehr	Tom Carr
Gray	Dan Wichmer	Tom Carr
Wilson	Dan Wichmer	Tom Carr
Osborne	Tom Carr	David Gehr
Ageton	Tom Carr	David Gehr
Morzel	Tom Carr	David Gehr
Karakehian	Tom Carr	David Gehr

Results of first round:
Tom Carr – 9
Dan Wichmer - 3
David Gehr – 5

Dan Wichmer was eliminated and council was asked to pick top candidate from Tom Carr or David Gehr
Karakehian – Tom Carr
Morzel – Tom Carr
Ageton – Tom Carr
Osborne – Tom Carr
Wilson – Tom Carr
Gray – Tom Carr
Cowles – David Gehr
Becker – Tom Carr

Council Member Morzel moved, seconded by Cowles, to proceed with negotiations with Tom Carr for the position of City Attorney within the parameters established by the Council. The motion carried, 8:0 , Council Member Appelbaum absent. 7:10 p.m.

Council then recessed and reconvened at 7:30 p.m.

Consultant Dority informed the Council that Mr. Carr accepted all terms with the exception of the base salary offer of \$157,500. Mr. Carr had hoped to be at a salary range between \$190,000 and \$200,000.

After deliberation the Council agreed to offer \$170,000, indicating it would not consider a higher amount.

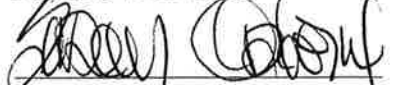
Council then recessed at 7:45 and reconvened until 7:50.

Consultant Dority announced that Mr. Tom Carr had agreed to all conditions of employment and accepted the offer for the City Attorney position with a start date of July1, 2010.


3. ADJOURNMENT

There being no further business to come before Council at this time, BY MOTION
REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 7:55 P.M.

APPROVED BY:


Susan Osborne,
Mayor

ATTEST:


Alisa D. Lewis,
City Clerk